

Federal Communications Commission

Docket No. 93-75 Exhibit No. 6-B-140

Presented by Chen

Disposition	{	Identified	<u>DEC 3-1993</u>
		Received	<u>DEC 6-1993</u>
		Rejected	

Reporter W. W. White

Date DEC 3-1993



**GLENDALÉ BROADCASTING COMPANY**

**EXHIBIT NO. 141**

**MM DOCKET NO. 93-75**

NATIONAL MINORITY TELEVISION, INC.


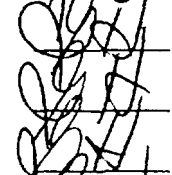
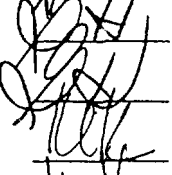
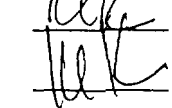

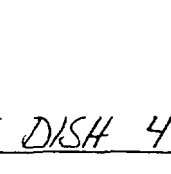
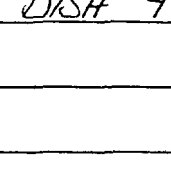
CONSTRUCTION AUTHORIZATION FORM

City: LAKE CHARLES

State: LA

Call Letters: K5IEC

Unless otherwise noted below in the "Special Instructions", this form authorizes Planck Technical Services to bid this job, buy per the resultant authorized PO and schedule construction accordingly.

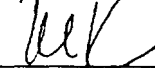

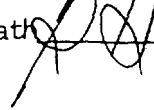
FAA		(initial)	
Construction Permit		(initial)	[Accuracy, Side Car, Pending]
Survey Completed		(initial)	
TI Tested		(initial)	
Lease (Technical)		(initial)	
Lease (Legal, Terms)		(initial)	Jane signed already.
Insurance Certificate		(initial)	per Bebe 6/24 3pm.

SPECIAL INSTRUCTIONS / COMMENTS:

PER SURVEY, ELEVATE SATELLITE DISH 4 FEET OFF GROUND

Approvals: Unless otherwise specified herein by either B. Miller or K. Kinsey, in order for this to be a valid authorization, all three Approvals are required.

APPROVALS / INITIALS

K. Kinsey		Date	<u>6/24/93</u>
B. Miller		Date	<u>6/24/93</u>
G. Horvath		Date	<u>6/23</u>

Federal Communications Commission

Docket No. 47-75 Exhibit No. Cable 141

Presented by Cable

Disposition	{	Identified	<u>47-75 3-12-73</u>
		Received	<u>47-75 6-12-73</u>
		Rejected	<u>                    </u>

Reporter Cable

Date 47-75 3-12-73



**GLENDALÉ BROADCASTING COMPANY**

**EXHIBIT NO. 142**

**MM DOCKET NO. 93-75**

FACSIMILE  
NATIONAL MINORITY TV, INC.

P.O. Box C-11949  
Santa Ana, CA 92711  
Tel (714) 665-2128 Fax (714) 730-0661

To: Ben Miller, Technical Consultant

Date: 1 July 1993

Company: N.M.T.V., Inc.

Time: 1:50 pm, Pacific

Tel: 914-896-4610

From: George H. Horvath

FAX: 914-896-4614

Ref: 2


Total number of pages including this page: 7

\*\*\*\*\*

Attached total Quote for Your Review/Approval

CP for Lake Charles, LA (K51EC)

Lessor committed to paint tower within two weeks per commitment made to K. Kinsey.

  
George Horvath  
Consultant  
National Minority TV, Inc.

CC: P. St. John Clerke

05712



Federal Communications Commission

Docket No. 94-35 Exhibit No. Att-142

Presented by Cohn

Disposition	{	Identified	<u>DEC 3-1993</u>
		Received	<u>DEC 6-1993</u>
		Rejected	<u>                    </u>

Reporter G. W. Wynn

Date DEC 3-1993



**GLENDAL E BROADCASTING COMPANY**

**EXHIBIT NO. 143**

**MM DOCKET NO. 93-75**

X

**Trinity Broadcasting Network  
Engineering Department  
Memo**

Date: October 3, 1991

To: Alice Fields

From: Ben Miller

Subject: My Titles

Trinity Broadcasting Network, Inc.	: Vice President, Engineering
Community Educational TV, Inc.	: Vice President, Engineering
Jacksonville Educators Broadcasting, Inc.	: Technical Consultant
National Minority TV, Inc.	: Technical Consultant
All American TV, Inc.	: Technical Consultant
Sonlight Broadcasting Systems, Inc.	: Technical Consultant

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55593



**GLENDALE BROADCASTING COMPANY**

**EXHIBIT NO. 144**

**MM DOCKET NO. 93-75**

W. Ben Miller  
Technical Consultant  
719 Calle Vallarta  
San Clemente, CA 92673

August 13, 1992

Michael D. Blackwell  
Syncom Incorporated  
440 Knox Abbott Drive  
Suite 240  
Cayce, SC 29033

Dear Mr. Blackwell,

In an effort to resolve the multitude of issues which have arisen in our attempt to construct my client's low power television station within the provisions of their lease agreement with you, I feel it is necessary to bring some important facts to your attention. Once you understand these facts, you will need to provide us with answers as to how you want to go about resolving the various problems.

We have all read the engineering report on the electromagnetic field strength survey completed by Jules Cohen and Associates and the recommendations contained therein. Let me first state that in response to the other broadcast tenant's concerns about the addition of W51BR to the overall radiation picture, Cohen's report first makes it clear that a problem has already existed and that the addition of W51BR at a height of 18 meters would represent a contribution of only 0.3 percent of the ANSI guide level of 2.3 milliwatts per square centimeter.

Also, the report further confirms what we already knew regarding the potential effects of the erection of my client's 35 foot tower and antenna system within the aperture of WAAS and WHKZ's antennas. Specifically, the existence of the new tower would likely cause detrimental effects to the circularly polarized patterns of both antennas. Under the present situation, the findings of the report indicate that in order to remain compliant with federal guidelines regarding human exposure in the platform area, both FM stations are obliged to cease operation during work being performed in the platform area until personnel are clear of the platform. In the recommendations of the report specific to the two FM stations, it is suggested that both FM stations change antenna type to at least a four bay design to reduce downward radiation and to increase their mounting heights by at least 2 meters to preclude the need to restrict access to the platform area.

An alternative recommendation was made to erect a new 50 tower on the roof of the building about 70 feet from the existing platform.

Federal Communications Commission

Docket No. \_\_\_\_\_ Election No. \_\_\_\_\_

Presented by \_\_\_\_\_

Disposition ☒ Identified \_\_\_\_\_

☐ Received \_\_\_\_\_

☐ Rejected \_\_\_\_\_

Reporter \_\_\_\_\_

Date \_\_\_\_\_



Michael D. Blackwell  
Syncom Incorporated  
440 Knox Abbott Drive  
Suite 240  
Cayce, SC 29033

It is my understanding that this was rejected outright by the owner of the building.

It would then seem clear to me what the most likely workable alternative is to deal with all existing problems as well as with ones associated with in the new installation of the W51BR antenna system you are obligated to accommodate in my client's lease agreement. Specifically my client proposes to erect a new tower on the platform which would need to be in the area of 85 feet in overall height. The exact height would depend on the make and model of the antenna selected by the two FM stations. The top 32.8 feet of the tower would be occupied by the W51BR antenna, and from about the 50 foot level down, a 4 bay broadband circularly polarized antenna could be mounted which can accommodate the diplexed feed of both WAAS and WHKZ. Both old FM towers would then be removed from the platform.

This plan entails resolution of several issues;

1. First, both FM stations must agree to it and agree to the idea of sharing a common antenna. They must also agree with sharing the cost of the purchase of the common antenna and of the diplexing equipment as well as for the rigging work unless you are prepared to cover this.
2. Secondly, it will have to be determined as to who will bear the cost of dismantling and removal of the old towers.
3. National Minority TV exercised good faith in planning for the installation of their new existing 35 foot tower, even to the extent of engaging your structural engineer to approve the structural integrity of it's installation on the platform. All based upon representations made to them in your lease agreement. This tower is now useless and funds spent for it may technically be considered damages to National Minority because the tower cannot be used, and furthermore, each day which passes represents lost revenue to them. Furthermore, they have spent considerable funds for the mobilization of a crew from out of state to perform work which could not be performed. Also, they are now incurring storage charges for equipment which cannot be installed. The issue of who will bear the cost for the new tower, the cost of structural engineering costs and erection costs for that tower is a major one which requires a response from you.

Another area which digresses from the original agreement is the proposed location of the transmitter equipment. It was represented

Michael D. Blackwell  
Syncom Incorporated  
440 Knox Abbott Drive  
Suite 240  
Cayce, SC 29033

to my client that our equipment was to be located in the established transmission room. This was even confirmed by you during the visit of their representative to the site. Upon arrival of their crews, however, access to that equipment area was denied, and they were left to establish a new equipment area at considerable cost for new electrical service etc. This is a breach of the agreement, and they demand to be accommodated the established equipment room.

Finally, it was represented that sufficient space would be allocated for the installation of a 3.2 meter diameter satellite antenna. Upon arrival, the crews discovered that such an antenna could not be installed due to potential blockage to existing microwave antennas. Now my client is faced with the need to find another site for the satellite antenna, and microwave the signal to the platform from that other location. Because of this, they will expect to need space on the proposed new tower to locate their microwave receive antenna.

As I see it, the installation of the new shared tower is the only remaining alternative to allow the installation of my client's antenna on your platform. We must hear from you as soon as possible as to what your position is on this plan, as well as to the position of the FM stations, and finally, as to who will bear the associated costs. My client stands ready to supply all pertinent facts and specifications regarding their proposed equipment so that planning may commence at the earliest possible date. Until a resolution is reached they indicate that they consider your obligation on the lease to remain unfulfilled. We look forward to hearing from you.

Sincerely,



W. Ben Miller  
for National Minority TV, Inc.

cc:

Jane Duff, National Minority TV, Inc.  
George Horvath  
Jim Planck, Planck Technical Services, Inc.  
Kevin T. Fisher, Smith and Powstenko

WBM:wp

52868



**GLENDALÉ BROADCASTING COMPANY**

**EXHIBIT NO. 145**

**MM DOCKET NO. 93-75**

George  
FHI

## Syncom Incorporated

*Synergy in Communications*

440 Knox Abbott Drive  
Suite 240  
Cayce, SC 29033

August 18, 1992

Mr. W. Ben Miller  
Technical Consultant  
719 Calle Vallarta  
San Clemente, California 92673

Dear Mr. Miller:

I received your letter of August 13, 1992 and I am pursuing your suggested alternatives for resolution of the issues. However, I felt it was necessary to address issue three (3) before moving forward. In that regard, several things need to be clarified:

1. The structural engineer was engaged by National Minority Television, and has no relationship to Syncom, Inc. The Lease Agreement requires in Paragraph Two (2) that the Tenant submit their plan for installation and location of the antenna system for approval by the Landlord "...prior to commencement of any work on the initial installation". The tower plan was submitted to me on June 23, 1992 by Chao & Associates. Upon receipt, I met with Planck & Associates on June 25, 1992 and offered alternatives for the antenna system. I advised them that any alternative selected could not interfere with any existing tenants. Without any further discussion, they began installing the satellite dish on a pedestal that would have directly blocked the signal of an existing microwave dish. They were then asked to hold off any further work until alternatives could be researched.
2. As to the proposed location of the transmitter equipment, there has been absolutely no change in my representation of the room. I advised National Minority Television (George Sebastian) and their representative that the space was available and that it may not require modification since the penthouse was already environmentally controlled. I advised both parties that should any modification be required, it would be at the expense of National Minority Television and would have to meet the building code specifications (see Paragraphs 2, 7 & 14). I am personally not aware of their having to "...establish a new equipment area".

52862

Federal Communications Commission

Docket No. 97.73 Exhibit No. CBC 143

Presented by Cohen

Disposition	{	Identified	<u>DEC 3-1993</u>
		Received	<u>DEC 6-1993</u>
		Rejected	<u>                    </u>

Reporter G. Miller

Date DEC 3-1993

Mr. W. Ben Miller  
August 18, 1992  
Page Two (2)

3. I have no problem with the microwave receive antenna being placed on the new tower, should one be erected.

As to the proposed construction of a new 85' tower, in order for me to consider this alternative I would need:

1. A detailed sketched at the proposed location, any attachments, and all points of penetration of the building (should it be required). I would then submit to the building owners for their consideration.
2. An estimate of the cost will be needed in order for me to pursue with the two FM stations. Syncom, Inc. is prepared to participate in the overall cost of construction should this arrangement be approved.
3. A letter from a certified engineer stating that the proposed tower:
  - a. Will not cause interference with any existing antenna system.
  - b. Meets all FAA, FCC, and any other laws, ordinances, rules or regulations.

Please be advised that I am more than willing to consider any and all alternatives to resolving this issue. However, it is obviously to both of our advantage to make sure what we do is in compliance with any and all regulations. Furthermore, it would be foolish on our part to proceed with an implementation that would cause interference with the existing tenants and thereby require costly modification or removal after the fact.

Upon receipt of the three items requested, I will move forward with your proposed tower structure. Also, please be advised that at this time I do not feel Syncom, Inc. has any moral or legal obligation for the financial expenditures of National Minority Television. Syncom, Inc. has already spent several thousand dollars in pursuit of a resolution and considers itself well within the obligation set forth in the contract.

Yours very truly,

*Michael D. Blackwell*

Michael D. Blackwell





**GLENDALE BROADCASTING COMPANY**

**EXHIBIT NO. 146**

**MM DOCKET NO. 93-75**